

REMARKS

Please reconsider the application in view of the above amendments and the following remarks. Applicant thanks the Examiner for carefully considering the application.

Disposition of Claims

Claims 1-11 are pending in the present application. Claim 1 is independent. The remaining claims depend, directly or indirectly, from claim 1.

Claim Amendments

Claims 3 and 5 have been amended by way of this reply to correct minor errors. No new matter has been added. Further, these amendments do not raise new issues or require new search, or at least simplify issues for appeal. Accordingly, entry and favorable consideration is respectfully requested.

Objection(s) to the Claims

Claims 3 and 5 stand objected to because of informalities. Claims 3 and 5 have been amended by way of this reply in view of this objection. Accordingly, withdrawal of this objection is respectfully requested.

Objection(s) to the drawings

The drawings have been objected to for informalities. The Examiner alleges that the cross-hatching is incorrect and that insulative materials, such as the silicone rubber keypad, should be shown appropriately (*see* Office Action dated March 17, 2008, at page 2). Applicant

respectfully disagrees. In fact, a keypad 2 in contact with an entire back surface of a hard base 1 is clearly disclosed, for example, in Figure 1 of the present application. Also, the cross-hatching is correct. Thus, Applicant respectfully asserts that the drawings of the present application show every feature of the invention specified in the claims. Accordingly, withdrawal of this objection is respectfully requested.

Statement of Substance of Interview

A personal interview, initiated by Applicant's representative, was conducted on April 3, 2008, between the Examiner, Renee S. Luebke and Applicant's representative, Thomas K. Scherer.

The purpose of the interview was to discuss the Office Action dated March 17, 2008, with respect to the limitation, "a front surface of the keypad is in contact with an entire back surface of the hard base, thereby preventing the entire back surface of the hard base from being in contact with any member other than the keypad," as recited in claim 1.

During the interview, the Examiner argued that the claim language, as written, could be construed broadly enough to cover a keypad that protected the entirety of any portion of a hard base that can be considered "a back surface" of the hard base. On the other hand, Applicant's representative argued that the claim clearly recites "the keypad is in contact with an entire back surface of the hard base," and, thus, this limitation must be construed to mean that *every* portion of the hard base that can be considered a "back" surface must be contacted.

Applicant's representative was not able to reach agreement with the Examiner with respect to the claim construction. However, the Examiner agreed that the prior art does not show or suggest a keypad contacting *every* surface that could be considered a "back" surface of the hard base.

During the interview, no proposed amendments and no exhibits or demonstrations were discussed.

Applicant respectfully submits that the instant Statement of Substance of Interview complies with the requirements of 37 C.F.R. §§1.2 and 1.133 and MPEP § 713.04.

Rejection(s) under 35 U.S.C § 102

Claims 1-2 stand rejected under 35 U.S.C § 102(b) as being anticipated by U.S. Patent No. 4,021,630 (“Taylor”). For the reasons set forth below, this rejection is respectfully traversed.

Embodiments disclosed in this application relate to a cover member for a push-button switch. In accordance with one embodiment shown in Figure 1, the keypad 2 is formed on the hard base 1, and thinly covers the entire back surface of the hard base 1. Because the keypad 2 may be made of elastic material, for example, a silicone rubber film, it can protect the hard base 1 and other adjacent solid members. In one embodiment, the keypad 2 made of a silicone rubber film is formed between the hard base 1 and a circuit board and, thus, hard members including the hard base and the circuit board are prevented from being in direct contact. Advantageously, such circuit board can be protected from mechanical shock or damage (*see e.g.*, paragraphs [0058], [0067] of the published specification).

Accordingly, independent claim 1 requires, in part, that the keypad is made of a silicone rubber film, and a front surface of the keypad is in contact with an entire back surface of the hard base, thereby preventing the entire back surface of the hard base from being in contact with any member other than the keypad.

The Examiner has equated the retaining sleeve 25 and the flexible cap 10 of Taylor with the hard base and the keypad recited in claim 1. The Examiner then alleges that “[a] front surface (at 23) of the keypad is contact with an entire back (at 23) of the hard base; the step formed at interface 23 is seen to be ‘an entire back surface’ as claimed.” The Examiner also alleges that “Applicant argues that the keypad is not in contact with the entire back surface of the base. However, the claim does not define these structures with the specificity that applicant assumes in the arguments” (*see* Office Action dated March 17, 2008, at pages 2 and 3). Applicant respectfully disagrees.

As explained above, claim 1 clearly recites “the keypad is in contact with an *entire* back surface of the hard base, thereby preventing the *entire* back surface of the hard base from being in contact with *any* member other than the keypad.” Thus, Applicant respectfully asserts that this limitation must be construed to mean that *every* portion of the hard base that can be considered a “back” surface must be contacted in order for the word “entire” to have any meaning. Moreover, the claim limitation requires that the keypad prevents the entire back surface of the hard base from being in contact with any member other than the keypad.

Accordingly, in order to construe the limitation “the keypad is in contact with an entire back surface of the hard base, thereby preventing the entire back surface of the hard base from being in contact with any member other than the keypad,” as recited in claim 1, as corresponding to merely the step formed at interface 23 of Taylor that is only a *part* of the flexible cap 10, as is proposed in the pending Office Action, the Examiner is completely ignoring the express limitations of “entire” and “thereby preventing the entire back surface of the hard base from being in contact with any member other than the keypad.”

In fact, as clearly shown in Figure 1 of Taylor, the step formed at interface 23 is only a *part* of the flexible cap 10. That is, every portion of the flexible cap 10 does not contact with the *entire* back surface of the retaining sleeve 25. Rather, it is noted that part of the back surface of the retaining sleeve 25 is in contact with the circuit board 12, and, this configuration of contact switch in Taylor necessarily does not prevent a hard base from being in contact with other solid members to protect the circuit board.

Consequently, the Examiner's proposed interpretation of claim 1 is clearly not *reasonable*. The MPEP makes it clear that the Examiner must give the claims of the present application their broadest *reasonable* interpretation (*see* MPEP § 2111.01).

In view of the above, Taylor fails to show or suggest all limitations of independent claim 1. Claim 1 is therefore patentable over Taylor. Dependent claims are also patentable for at least the same reasons. Accordingly, withdrawal of this rejection is respectfully requested.

Rejection(s) Under 35 U.S.C § 103

Claims 3 and 6

Claims 3 and 6 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Taylor in view of U.S. Patent No. 5,367,133 ("Schmidt"). For the reasons set forth below, this rejection is respectfully traversed.

Claims 3 and 6 depend from independent claim 1. As discussed above, Taylor fails to show or suggest all limitations of independent claim 1. Further, Schmidt does not teach that which Taylor lacks. This is evidenced by the fact that Schmidt is only relied upon for teaching a keytop made of a hard resin.

In view of the above, Taylor and Schmidt, whether considered separately or in combination, fail to show or suggest all limitations of claims 3 and 6. Accordingly, withdrawal of this rejection is respectfully requested.

Claim 5

Claim 5 stands rejected under 35 U.S.C. 103(a) as being unpatentable over Taylor in view of U.S. Patent No. 3,995,126 (“Larson”). For the reasons set forth below, this rejection is respectfully traversed.

Claim 5 depends from independent claim 1. As discussed above, Taylor fails to show or suggest all limitations of independent claim 1. Further, Larson does not teach that which Taylor lacks. This is evidenced by the fact that Larson is only relied upon for teaching the use of a plurality of switches.

In view of the above, Taylor and Larson, whether considered separately or in combination, fail to show or suggest all limitations of claim 5. Accordingly, withdrawal of this rejection is respectfully requested.

Claims 4, 7, and 9-11

Claims 4, 7, and 9-11 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Taylor in view of U.S. Patent No. 5,366,805 (“Fujiki”). For the reasons set forth below, this rejection is respectfully traversed.

Claims 4, 7, and 9-11 depend, directly or indirectly, from independent claim 1. As discussed above, Taylor fails to show or suggest all limitations of independent claim 1. Further,

Fujiki does not teach that which Taylor lacks. This is evidenced by the fact that Fujiki is only relied upon for teaching the manufacture of an electrical component formed of a polycarbonate resin and a selectively adhesive silicone rubber.

In view of the above, Taylor and Fujiki, whether considered separately or in combination, fail to show or suggest all limitations of claims 4, 7, and 9-11. Accordingly, withdrawal of this rejection is respectfully requested.

Claim 8

Claim 8 stands rejected under 35 U.S.C. 103(a) as being unpatentable over Taylor and Schmidt in view of Fujiki. For the reasons set forth below, this rejection is respectfully traversed.

Claim 8 depends indirectly from independent claim 1. As discussed above, Taylor and Schmidt fail to show or suggest all limitations of independent claim 1. Further, Fujiki does not teach that which Taylor and Schmidt lack. This is evidenced by the fact that Fujiki is only relied upon for teaching the manufacture of an electrical component formed of a polycarbonate resin and a selectively adhesive silicone rubber.

In view of the above, Taylor, Schmidt, and Fujiki, whether considered separately or in combination, fail to show or suggest all limitations of claim 8. Accordingly, withdrawal of this rejection is respectfully requested.

Conclusion

Applicant believes this reply is fully responsive to all outstanding issues and places this application in condition for allowance. If this belief is incorrect, or other issues arise, the Examiner is encouraged to contact the undersigned or his associates at the telephone number listed below. Please apply any charges not covered, or any credits, to Deposit Account 50-0591, Reference 07200/083001.

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Respectfully submitted,

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